

**BEFORE THE  
STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS  
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. 2016-47

**STEVEN MASON MARLEY**  
10441 Palo Alto Street  
Rancho Cucamonga, CA 91730

Operator's License No. OPR 11770  
Field Representative's License No. FR 23910

**and**

**BIG PINE PEST CONTROL;  
STEVEN MASON MARLEY**  
10441 Palo Alto Street  
Rancho Cucamonga, CA 91730

Company Registration Certificate No. PR 7105

Respondents.

**DECISION AND ORDER**

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Structural Pest Control Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on August 24, 2016.

It is so ORDERED July 25, 2016.

  
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FOR THE STRUCTURAL PEST CONTROL BOARD  
DEPARTMENT OF CONSUMER AFFAIRS

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Attorney General of California  
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**STRUCTURAL PEST CONTROL BOARD**  
9 **DEPARTMENT OF CONSUMER AFFAIRS**  
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10 In the Matter of the Accusation Against:

Case No. 2016-47

11 **STEVEN MASON MARLEY**  
12 10441 Palo Alto Street  
Rancho Cucamonga, CA 91730  
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**STIPULATED SETTLEMENT AND  
DISCIPLINARY ORDER**

14 Operator's License No. OPR 11770  
Field Representative's License No. FR 23910

15 **and**

16 **BIG PINE PEST CONTROL;**  
17 **STEVEN MASON MARLEY**  
10441 Palo Alto Street  
18 Rancho Cucamonga, CA 91730

19 Company Registration Certificate No. PR 7105

20 Respondents.  
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22  
23 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-  
24 entitled proceedings that the following matters are true:

25 **PARTIES**

26 1. Susan Saylor (Complainant) is the Registrar/Executive Officer of the Structural Pest  
27 Control Board. She brought this action solely in her official capacity and is represented in this  
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1 matter by Kamala D. Harris, Attorney General of the State of California, by Vinodhini R. Keller,  
2 Deputy Attorney General.

3 2. Respondent Steven Mason Marley (Respondent) is representing himself in this  
4 proceeding and has chosen not to exercise his right to be represented by counsel.

5 3. On or about November 3, 2008, the Structural Pest Control Board issued Operator's  
6 License No. OPR 11770 to Steven Mason Marley (Respondent). The Operator's License was in  
7 full force and effect at all times relevant to the charges brought in Accusation No. 2016-47, and  
8 will expire on June 30, 2017, unless renewed.

9 4. On or about August 13, 2014, the Structural Pest Control Board issued Company  
10 Registration Certificate No. PR 7105 in Branches 2 and 3 to Big Pine Pest Control with  
11 Respondent as Owner. The Company Registration Certificate was in full force and effect at all  
12 times relevant to the charges brought in Accusation No. 2016-47.

13 5. On or about September 29, 1994, the Structural Pest Control Board issued Field  
14 Representative's License No. FR 23910 to Steven Mason Marley (Respondent). The Field  
15 Representative's License was in full force and effect at all times relevant to the charges brought in  
16 Accusation No. 2016-47, and will expire on June 30, 2018, unless renewed.

### 17 JURISDICTION

18 6. Accusation No. 2016-47 was filed before the Structural Pest Control Board (Board),  
19 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation  
20 and all other statutorily required documents were properly served on Respondent on April 4,  
21 2016. Respondent timely filed his Notice of Defense contesting the Accusation.

22 7. A copy of Accusation No. 2016-47 is attached as exhibit A and incorporated herein  
23 by reference.

### 24 ADVISEMENT AND WAIVERS

25 8. Respondent has carefully read, and understands the charges and allegations in  
26 Accusation No. 2016-47. Respondent has also carefully read, and understands the effects of this  
27 Stipulated Settlement and Disciplinary Order.

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9. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

10. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

## CULPABILITY

11. Respondent admits the truth of each and every charge and allegation in Accusation No. 2016-47.

12. Respondent agrees that his Operator's License, Company Registration Certificate, and Field Representative License are subject to discipline and he agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

## CONTINGENCY

13. This stipulation shall be subject to approval by the Structural Pest Control Board. Respondent understands and agrees that counsel for Complainant and the staff of the Structural Pest Control Board may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

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14. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

15. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

16. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

#### **DISCIPLINARY ORDER**

IT IS HEREBY ORDERED that Operator's License No. OPR 11770, Company Registration Certificate No. PR 7105, and Field Representative's License No. FR 23910 issued to Respondent Steven Mason Marley are revoked. However, the revocation is stayed and Respondent's licenses and certificate are placed on probation for three (3) years on the following terms and conditions.

1. **Obey All Laws.** Respondent shall obey all Federal, State, and Local law as well as all laws and rules relating to the practice of structural pest control.

2. **Quarterly Reports.** Respondent shall file quarterly reports with the Board during the period of probation.

3. **Tolling of Probation.** Should Respondent leave California to reside outside this state, Respondent must notify the Board in writing of the dates of departure and return. Periods of residency or practice outside the state shall not apply to reduction of the probationary period.

4. **Notice to Employers.** Respondent shall notify all present and prospective employers of the decision in case no. 2016-47, and the terms, conditions and restriction imposed on Respondent by said decision.

1 Within 30 days of the effective date of this decision, and within 15 days of Respondent  
2 undertaking new employment, Respondent shall cause his employer to report to the Board in  
3 writing acknowledging the employer has read the decision in case No. 2016-47.

4 5. **Notice to Employees.** Respondent shall, upon or before the effective date of this  
5 decision, post or circulate a notice to all employees involved in structural pest control operations  
6 which accurately recite the terms and conditions of probation. Respondent shall be responsible  
7 for said notice being immediately available to said employees. "Employees" as used in this  
8 provision includes all full-time, part-time, temporary and relief employees and independent  
9 contractors employed or hired at any time during probation.

10 6. **Completion of Probation.** Upon successful completion of probation, Respondent's  
11 licenses and certificate will be fully restored.

12 7. **Violation of Probation.** Should Respondent violate probation in any respect, the  
13 Board, after giving Respondent notice and an opportunity to be heard, may revoke probation and  
14 carry out the disciplinary order which was stayed. If a petition to revoke probation is filed against  
15 Respondent during probation, the Board shall have continuing jurisdiction until the matter is  
16 final, and the period of probation shall be extended until the matter is final.

17 8. **Continuing Education Courses:** Continuing education courses completed through  
18 Ace Professional Termite and Pest Control Training on June 15, 2015; June 16, 2015; June 24,  
19 2015; and June 28, 2015, cannot be used towards renewal of Operator's License No. OPR 11770  
20 in 2017.

21 9. **Cost Recovery:** Respondent shall pay to the Board costs associated with its  
22 investigation and enforcement pursuant to Business and Professions Code section 125.3 in the  
23 amount of \$1,510.00. Respondent shall be permitted to pay these costs in a payment plan  
24 approved by the Board, with payments to be completed no later than three months prior to the end  
25 of the probation term. Probation shall not be terminated until all costs are paid in full.

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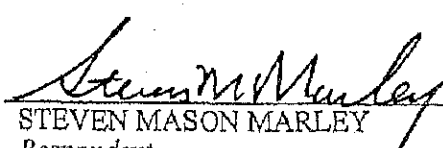
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ACCEPTANCE

I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the stipulation and the effect it will have on my Operator's License, Company Registration Certificate, and Field Representative's License. I enter into this Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Structural Pest Control Board.

DATED:

05/12/2016  
STEVEN MASON MARLEY  
*Respondent*ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Structural Pest Control Board.

Dated:

Respectfully submitted,

KAMALA D. HARRIS  
Attorney General of California  
LINDA L. SUN  
Supervising Deputy Attorney General

VINODHINI R. KELLER  
Deputy Attorney General  
*Attorneys for Complainant*

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